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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Mark A. CHAPMAN et al.

Group Art Unit: 2863

Application No.: 10/608,619

Examiner: T. Lau

Filed: June 30, 2003

Docket No.: 107949.01

For: MOTION DETECTION AND ANALYSIS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the September 10, 2004 Restriction Requirement, Applicants provisionally elect Group I, claims 1-25, 32, 33 and 35-45 with traverse.

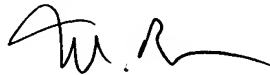
Applicants note that in the instant application's parent application, 09/716,959, claims containing the features of Groups I and II were examined together. Thus, the Examiner has already conducted a search encompassing the subject matter of both Groups I and II and thus search and examination of the entire application can be made without serious burden.

It is also respectfully submitted that the subject matter of all claims 1-45 are sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions"

(emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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